

Brian M. English

TOMPKINS, McGUIRE, WACHENFELD & BARRY LLP

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Attorneys for Plaintiffs/Counterclaim Defendants/Crossclaim Defendants NXIVM Corporation and First Principles, Inc.; and Third-Party Defendant Nancy Salzman

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

CIVIL ACTION NO. 06-01051 (KSH/CLW)

NXIVM CORPORATION, (formerly known as
EXECUTIVE SUCCESS PROGRAMS, INC.) and
FIRST PRINCIPLES, INC.,

Plaintiffs,

v.

MORRIS SUTTON, ROCHELLE SUTTON, THE
ROSS INSTITUTE, RICK ROSS (a/k/a “RICKY”
ROSS), STEPHANIE FRANCO, PAUL MARTIN,
Ph.D., AND WELLSRING RETREAT, INC.,

Defendants.

**NOTICE OF MOTION TO
WITHDRAW AS COUNSEL AND
APPLY FUNDS TO OUTSTANDING
BILLS**

RICK ROSS,

Counterclaim-Plaintiff,

-against-

KEITH RANIERE, NANCY SALZMAN, KRISTIN
KEEFFE, INTERFOR, INC., JUVAL AVIV, JANE
DOE, AND JOHN DOES 1-10,

Counterclaim-Defendants.

INTERFOR, INC. and JUVAL AVIV,
Crossclaimants,

v.

NXIVM CORPORATION, KEITH RANIERE,
NANCY SALZMAN and KRISTIN KEEFFE,
Crossclaim Defendants.

TO:

Nancy Salzman
c/o
Robert Soloway, Esq.
Rothman Schneider Soloway & Stern P.C.
100 Lafayette Street, Suite 501
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Anthony J. Sylvester, Esq.
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*Attorneys for Defendants the Estate of Morris
Sutton, Rochelle Sutton, and Stephanie
Franco*

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and Juval Aviv*

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500 Campus Drive
Florham Park, NJ 07932-1047

Attorneys for Cross-Defendant Keith Raniere

PLEASE TAKE NOTICE that on April 6, 2020, at 9:00 a.m., or as soon thereafter as counsel may be heard, the undersigned attorneys for Plaintiffs/Counterclaim Defendants/Crossclaim Defendants NXIVM Corporation, f/k/a Executive Success Programs, Inc., and First Principles, Inc. (referred to collectively as “NXIVM”) and Third-Party Defendant Nancy Salzman shall move before the Honorable Cathy L. Waldor, U.S.M.J., seeking an Order: (1) permitting Tompkins, McGuire, Wachenfeld & Barry LLP to withdraw as counsel for NXIVM and Ms.

Salzman; and (2) authorizing Tompkins, McGuire, Wachenfeld & Barry LLP to apply \$50,000 currently being held in a trust account towards legal fees and costs owed to the firm by NXIVM.

PLEASE TAKE FURTHER NOTICE that in support of this Motion, Tompkins, McGuire, Wachenfeld & Barry LLP shall rely upon the Declaration of Brian M. English submitted herewith. A proposed form of Order is also enclosed.

**TOMPKINS, McGUIRE, WACHENFELD &
BARRY, LLP**

*Attorneys for Plaintiffs/Counterclaim-
Defendants/Crossclaim Defendants NXIVM
Corporation and First Principles, Inc.; and Third-
Party Defendant Nancy Salzman*

By: /s/Brian M. English
Brian M. English

Dated: March 13, 2020